

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

MARY A. JOHNSON,
Plaintiff,

v.

Case No. 05-C-0856

INDYMAC BANK, F.S.B.,
Defendant.

ORDER

On October 19, 2005 defendant, IndyMac Bank, F.S.B., filed an expedited Civil L.R. 7.4 motion to stay this fair credit practices act case. Defendant asserts that plaintiff has not opted out of a class action currently pending in the Northern District of Illinois, which class definition covers her claims. See Murray v. IndyMac Bank, F.S.B., No. 04-C-7669 (N.D. Ill. filed Dec. 10, 2004). According to defendant, the court preliminarily approved a settlement in that case on August 3, 2005. Plaintiff has until November 21, 2005 to opt out of said class. Final approval of the settlement is set for December 20, 2005. Defendant requests that I stay this action until after the Murray settlement, so that the parties may assess whether plaintiff will opt out of that settlement or proceed with her claims.

Under Civil L. R. 7.4, plaintiff had until October 24, 2005 to respond to defendant's motion. However, plaintiff has not opposed defendant's motion for a stay; therefore, I will stay and administratively close this case to allow the parties time to review their respective options and duties in the above referenced matter.

THEREFORE, IT IS ORDERED that this case be **CLOSED FOR ADMINISTRATIVE PURPOSES ONLY** until plaintiff or defendant notifies me of the outcome in the Murray settlement and plaintiff's inclusion therein.

Dated at Milwaukee, Wisconsin, this 1 day of November, 2005.

/s _____
LYNN ADELMAN
District Judge